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#### REMARKS/ARGUMENTS

Claims 1, 2, 4-7, 9-12, 14, and 15 are pending in this application. Claims 1, 2, 4-7, 9-12, 14 and 15 were appealed to the Board of Patent Appeals and Interferences and were rejected under a new ground pursuant to 37 C.F.R. § 41.50(b). Applicant amended independent claims 1, 6 and 11 and added new claims 16-21. Support for the claim amendments and additions can be found in the specification as originally filed in Figures 28-31 and the corresponding text, among other places. No new matter has been added.

#### CLAIM REJECTIONS UNDER 35 U.S.C. § 103

In its decision mailed February 28, 2007, the Board of Patent Appeals and Interferences (hereinafter the "Board") entered a new ground of rejection in which claims 1, 2, 4-7, 9-12, 14, and 15 were rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 5,946,669 to Polk (hereinafter "Polk"), in view of 42 U.S.C. § 666(b) and 15 U.S.C. § 1673(b) (hereinafter the "Code"). In the Decision on Appeal, the Board stated that "Polk describes all of the limitations of the claimed subject matter except for calculating a proper amount of the financial support payment based on an amount paid to date from a non-custodial parent to a custodial parent." See Decision on Appeal, pp. 7-8. The Board cited the Code as providing disclosure about calculating amounts due to a recipient and/or arrearages based on an individual's "disposable income" *Id.* at 8-9. The Board further stated that "in Polk's calculations of amounts due the recipient, user profile information must relate to disposable earnings, because disposable earnings must be computed to determine the limits of the amount that may be garnished for child support payments. Thus the user profile information inherently related to income, number of children, basic support, insurance premium, child care cost, and additional expenses, because each of them is either a source of or deduction from disposable earnings." *Id.* at 9. The Board also stated that it would have been obvious to a person of ordinary skill in the art to incorporate the Code provisions into the calculation taught by Polk in order to comply with federal law. *Id.* Independent claims 1, 6 and 11 are herein amended. Applicants traverse the rejection and request reconsideration.

The present invention generally provides for a network-based child financial support framework for facilitating communications between employers, custodial parents, and non-custodial parents, comprising the steps of:

- (a) maintaining a database including information on a received financial support payment utilizing a network;

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- (b) providing general information relating to the financial support payment utilizing the network;
- (c) calculating a proper amount of the financial support payment based on a profile of a user and based on an amount paid to date from a non-custodial parent to a custodial parent, wherein the profile includes data relating to at least one of income, number of children, basic support, insurance premium, child care cost, and additional expenses, wherein a first portion of the profile is received from the user across the network and a second portion of the data is received from the database, and wherein the user may change the data in the second portion of the profile;
- (d) displaying a history associated with the financial support payment; and
- (e) providing an interface configured to allow custodial parent to retrieve information related to financial support payments and histories.

Polk and the Code do not disclose, teach or suggest each and every element of independent claims 1, 6 and 11. Specifically, Polk, alone or in combination with the Code, does not disclose, teach or suggest limitation (e) as set forth above. Polk discloses a payment processing and disbursement system and method based on integrated payment collection and disbursement methodologies using an accumulator agency to receive information/funds from employers and state agencies and transmit funds to banks via clearinghouses. *See* Figs. 15-20, col. 4 line 60 – col. 5, line 23. No where does Polk teach or suggest “providing an interface configured to allow custodial parent to retrieve information related to financial support payments and histories” as recited in Applicants’ independent claims. Rather, Polk teaches away from Applicants’ invention as claimed because Polk simply discloses “custodial parent receives and cashes check” or “recipient receive deposit in account.” *See* Fig. 18, *See also* Figs. 17, 19-21 and corresponding text. For at least these reasons, Polk fails to teach or suggest every element of claims 1, 2, 4-7, 9-12, 14, and 15.

The Code does not teach or suggest limitation (e) as set forth above. Rather, the Code discloses statutory requirements for calculating child support payments. No where does the Code teach or suggest “providing an interface configured to allow custodial parent to retrieve information related to financial support payments and histories” as recited in Applicants’ independent claims. Because the cited references, alone or in combination, do not teach or suggest the present invention as claimed in independent claims 1, 6 and 11, Applicants respectfully request withdrawal of the § 103 rejection and reconsideration of these claims. Because claims 2, 4, 5, 7, 9-12 and 15 now depend from allowable base claims, Applicants respectfully submit that these claims are also allowable.

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**CONCLUSION**

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Applicants submit that all pending claims are allowable and respectfully request that a Notice of Allowance be issued in this case. In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (612) 607-7345. If any fees are due in connection with the filing of this paper, then the Commissioner is authorized to charge such fees including fees for any extension of time, to Deposit Account No. 50-1901 (Reference 60021-359701).

Respectfully submitted,

By



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